

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING
GRENADA
MONDAY, 28TH MARCH 2022

Case Name: **Monmot Limited**
v
Caribbean Financial Services Corporation et
al

[GDAHCVAP2020/0004]
(Grenada)

Date: **Monday, 28th March 2022**

Coram: **Mrs. Michelle John-Theobalds, Chief Registrar**

Appearances:

Appellant:	Ms. Danyish Harford with Mr. Ruggles Ferguson
Respondents:	No appearance

Issues: **Status of the matter**

Type of Order: **Directions**

Result / Order: **IT IS HEREBY ORDERED THAT:**

- 1. The appellant shall file and serve the Record of Appeal, including the judgment being appealed against on or before 25th April 2022.**
- 2. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 10th May 2022.**
- 3. The hearing of the appeal is fixed for the next Court of Appeal sitting in the State of Grenada scheduled for the week commencing 19th September, 2022.**

Reason: The record of appeal has not been filed.

Case Name: Johnny Julien
v
Anthony Charles
[GDAHCVAP2020/0013]
(Grenada)

Date: Monday, 28th March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Ian Sandy
Respondent: No appearance

Issues: Status of the matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The appellant shall file and serve a supplemental Record of Appeal, including the transcript of proceedings on the court below, on or before 29th April 2022.
2. The respondent is at liberty to file and serve written submissions with authorities on or before 30th May 2022.
3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 14th June 2022.
4. The hearing of the appeal is fixed for the next court of appeal sitting in the State of Grenada scheduled for the week commencing 19th September 2022.

5. The registrar of the High Court shall serve a copy of this order on the respondent personally and shall provide proof of service thereafter.

Reason: The appellant has filed the Record of Appeal as well as written submissions along with authorities. The transcript of proceedings is now ready.

There was no proof of service on the respondent of notice of the status hearing.

Case Name: Jacqueline Charles (Personal Representative of the Estate of Joshua Thorne, deceased)
V
Emery Thorne

[GDAHCVAP2020/0014]
(Grenada)

Date: Monday, 28th March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Ian Sandy
Respondent: Ms. Celia Edwards QC with her Ms. Celine Edwards

Issues: Status of the matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. Upon the joint application of the parties, the appeals in GDAHCVAP2020/0014 and GDAHCVAP2021/0038 are consolidated and hereafter shall be heard together.
2. The Registrar of the High Court shall continue efforts to have the transcript of proceedings in

appeal GDAHCVAP2021/0038 completed and served on the parties.

3. The matter is adjourned to the next status hearing of the court for Grenada scheduled for 12th September, 2022.

Reason:

The appellant has filed the Record of Appeal as well as written submissions along with authorities in both matters. However, the transcript of proceedings is outstanding.

Case Name:

Reynold Benjamin

v

Dorsett Charles

**[GDAHCVAP2020/0019]
(Grenada)**

Date:

Monday, 28th March 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Benjamin Hood

Respondent:

No appearance

Issues:

Status of the matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The appellant will make the necessary arrangements to make payment for the transcript of proceedings in the court below.
2. The matter will thereafter proceed in accordance with the CPR 2000.

Reason: The transcript of proceedings is prepared.

Case Name: Lucy Murchie
v
George Martin
[GDAHCVAP2016/0014]
(Grenada)

Date: Monday, 28th March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: No appearance
Respondent: No appearance

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. Upon noting that the appellant was not served to be present at today's hearing, the matter is adjourned to the next status hearing for Grenada scheduled for 12th September 2022.
2. The registrar of the High Court shall serve a copy of this order on the respondent personally and shall provide proof of service thereafter.

Reason: There was no proof of service on the appellant of notice of the status hearing.

Case Name: Paul Duncan
v

The Queen

**[GDAHCRAP2016/0014]
(Grenada)**

Date: Monday, 28th March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Darshan Ramdhani QC with Mrs. Sabrita Khan-Ramdhani

Respondent: Mr. Howard Pinnock

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next Status Hearing of the court for Grenada scheduled for 12th September 2022 for the appellant to be present to indicate whether he is still interested in prosecuting his appeal.
2. The Registrar of the High Court shall serve a copy of this order on the respondent personally and shall provide proof of service thereafter.

Reason: Counsel for the appellant informed through the registrar that she has been unable to contact her client and does not intend to proceed.

Case Name: Jude Lessey
v

The Queen

**[GDAHCRAP2016/0015]
(Grenada)**

Date: Monday, 28th March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Ms. Danyish Harford with Mr. Ruggles Ferguson
Respondent: Mr. Howard Pinnock

Issues: Status of matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall use her best efforts to obtain the judgment delivered by the learned trial judge in this matter and make the same available to the parties.
2. The matter is adjourned to the next Status Hearing for Grenada scheduled for 12th September 2022.

Reason: The registrar is continuing efforts to obtain the trial judge's judgment in the matter.

Case Name: Lennard Benjamin
v
The Queen

**[GDAHCRAP2016/0026]
(Grenada)**

Date: Monday, 28th March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Mr. Jerry Edwin
Respondent:	Mr. Howard Pinnock

Issues: Status of matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The appellant shall file and serve written submissions along with authorities on or before 31st May 2022.
2. The respondent shall file and serve written submissions with authorities on or before 15th July 2022.
3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 29th July 2022.
4. The hearing of the appeal is fixed for the next court of appeal sitting in the State of Grenada scheduled for the week commencing 19th September 2022.

Reason: The Record of Appeal has been served on the parties. Written submissions have not been filed. The appellant requested an adjournment to fulfill his financial obligations to counsel.

Case Name:

Finton Debourg
v
The Queen

[GDAHCRAP2016/0027]
(Grenada)

Date: Monday, 28th March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	In person
Respondent:	Mr. Howard Pinnock holding for Mr. Christopher Nelson QC

Issues: Status of matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. Upon the request of the appellant for an adjournment, and there being no objection by the respondent, the matter is adjourned to the next status hearing of the Court for Grenada scheduled for 12th September 2022 to allow the appellant to sort out his legal representation.
2. The Registrar of the High Court shall serve a copy of this order on the respondent personally and shall provide proof of service thereafter.

Reason: The appellant requested an adjournment to allow his intended counsel to be admitted to the bar.

Case Name:

**Arthur Braveboy
v
The Queen**

**[GDAHCRAP2017/0003]
(Grenada)**

Date: Monday, 28th March 2022
Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: No appearance
Respondent: Mr. Howard Pinnock

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. Upon noting that the appellant was served to be present but is not, the matter is adjourned to the next Status Hearing of the Court of Appeal for Grenada scheduled for 12th September 2022 for the appellant to indicate whether he is still interested in prosecuting his appeal.
2. The Registrar of the High Court shall serve a copy of this order on the appellant and shall provide proof of service thereafter.

Reason: The appellant has been released from prison and was served on 7th December 2021 but was absent from the hearing.

Case Name: Javid Glasgow
v
The Queen

[GDAHCRAP2017/0021]
(Grenada)

Date: Monday, 28th March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Mr. Jerry Edwin
Respondent:	Mr. Howard Pinnock

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall continue efforts to complete the transcription of the missing portion of the record of proceedings and once completed shall serve the same on the parties.
2. The matter is adjourned to the next status hearing of the Court for Grenada scheduled for 12th September 2022.

Reason: The Registrar of the High Court is transcribing the missing portion of the record of proceedings.

Case Name:

**Akim Francis
v
The Queen**

**[GDAHCRAP2018/0017]
(Grenada)**

Date: Monday, 28th March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Jerry Edwin

Respondent: Mr. Howard Pinnock

Issues: Status of the matter

Type of Order: N/A

Result / Order: IT IS HEREBY ORDERED THAT:

Upon noting the indication from counsel for the appellant that the appellant has served his sentence and is no longer interested in prosecuting his appeal, the appeal is hereby withdrawn and dismissed.

Reason: The appellant has been released from HMP after serving his sentence. Counsel for the appellant indicate that the appellant is no longer interested in prosecuting his appeal.

Case Name: Isa Charles
v
The Queen

[GDAHCRAP2019/0005]
(Grenada)

Date: Monday, 28th March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Anselm Clouden

Respondent: Mr. Howard Pinnock holding for Ms. Crisann Greenidge

Issues:

Status of the matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The respondent shall file and serve written submissions along with authorities on or before 29th April 2022.
2. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 16th May 2022.
3. The hearing of the appeal is fixed for the next court of appeal sitting in the State of Grenada scheduled for the week commencing 19th September, 2022.

Reason:

The transcript of proceedings is ready. The appellant filed submissions on 25th March 2022.

Case Name:

**Aldin Phillip
v
The Queen**

**[GDAHCRAP2019/0009]
(Grenada)**

Date:

Monday, 28th March 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Jerry Edwin

Respondent:

Mr. Howard Pinnock

Issues:

Status of the matter

Type of Order:

Adjournment

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall continue efforts to cause the transcript of the proceedings to be completed and served on the parties.
2. The matter is adjourned to the next status hearing of the Court for Grenada scheduled for 12th September 2022.

Reason:

The audio for the dates of the hearing has not been located. The judge's notebook has been requested to assist in the interim. The transcript of proceedings is being worked on by the court reporting unit.

The appellant indicated that he paid over \$3000.00 to an external transcriptionist. However, the registrar informed that the external transcriptionist sent an incomplete transcript as the audio for several days were missing. The registrar noted the missing dates. The court office is trying to locate these recordings.

Case Name:

Marcus Fortune

v

The Queen

**[GDAHCRAP2019/0022]
(Grenada)**

Date:

Monday, 28th March 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance
Respondent: Mr. Howard Pinnock

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. Upon noting that the appellant has completed his sentence and that he was not served to be present today, the matter is adjourned to the next status hearing of the court for Grenada scheduled for 12th September 2022 for the appellant to be present to indicate whether he is still interested in prosecuting his appeal.
2. The Registrar of the High Court shall serve a copy of this order on the appellant personally and shall provide proof of service thereafter.

Reason: The appellant has been released from prison. There was no proof of service on the appellant of notice of the proceedings.

Case Name: Ken Charles
v
The Queen

[GDAHCRAP2017/0020]
(Grenada)

Date: Monday, 28th March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Jerry Edwin
Respondent: Mr. Howard Pinnock

Issues:

Status of the matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The respondent shall file and serve written submissions with authorities on or before 31st May, 2022.
2. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 15th June 2022.
3. The hearing of the appeal is fixed for the next court of appeal sitting in the State of Grenada scheduled for the week commencing 19th September, 2022.

Reason:

The appellant filed submissions on 17th March 2022. Counsel for the respondent confirmed that a copy was served on the respondent.

Case Name:

**The Commissioner of Police
V
Treverson Roberts
[GDAMCRAP2019/0021]
(Grenada)**

Date:

Monday, 28th March 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Howard Pinnock holding for Ms. Crisann Greenidge

Respondent:

Mr. Anselm Clouden

Issues:	Status of the matter
Type of Order:	Adjournment
Result / Order:	IT IS HEREBY ORDERED THAT: 1. The matter is adjourned to the next status hearing of the court for Grenada scheduled for 12th September 2022 to allow counsel for the respondent to take the necessary steps to file an application to be removed from the record as counsel for the respondent. 2. The Registrar of the High Court shall serve a copy of this order on the respondent and shall provide proof of service thereafter.
Reason:	Counsel for the respondent has informed that he has not been instructed by the respondent. He will be filing an application to be removed from the record.
Case Name:	Enroy Williams v The Commissioner of Police [GDAMCRAP2020/0006] (Grenada)
Date:	Monday, 28th March 2022
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	No appearance
Respondent:	Mr. Howard Pinnock
Issues:	Status of the matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The appellant is at liberty to file and serve written submissions along with authorities on or before 31st May 2022.
2. The hearing of the appeal is fixed for the next court of appeal sitting in the State of Grenada scheduled for the week commencing 19th September, 2022.
3. The Registrar of the High Court shall serve a copy of this order on the appellant and shall provide proof of service thereafter.

Reason:

The appellant was served with Certificate of Result on 25 March 2022. However the appellant is out of state and contact was made with via telephone.

The Record of Appeal was filed on 20th Oct 2020. The respondent filed written submission 7th April 2021.

Case Name:

**Curtis Cyrus
v
The Commissioner of Police
[GDAMCRAP2021/0007]
(Grenada)**

Date:

Monday, 28th March 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Herricia Willis

Respondent:

Mr. Howard Pinnock

Issues:

Status of matter

Type of Order:	Adjournment
Result / Order:	IT IS HEREBY ORDERED THAT: The matter is adjourned to the next status hearing of the court for Grenada scheduled for 12th September 2022 to allow the appellant to sort out his legal representation in the matter.
Reason:	The appellant has several attorneys in several appeal matters. Counsel requested an adjournment to allow her to get herself up to speed on whether these matters are her matters or that of another attorney. There is no objection. The respondent is also not sure whether the chambers have been served with the Record of Appeal. Counsel for the appellant also confirmed that her chambers has not been served either. This however is an ELP matter.
Case Name:	Curtis Cyrus v The Commissioner of Police [GDAMCRAP2021/0008] (Grenada)
Date:	Monday, 28th March 2022
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Ms. Herrecia Willis
Respondent:	Mr. Howard Pinnock
Issues:	Status of matter
Type of Order:	Adjournment

Result / Order:

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next status hearing of the court for Grenada scheduled for 12th September 2022 to allow the appellant to sort out his legal representation in the matter.

Reason:

The appellant has several attorneys in several appeal matters. Counsel requested an adjournment to allow her to get herself up to speed on whether these matters are her matters or that of another attorney. There is no objection. The respondent is also not sure whether the chambers have been served with the Record of Appeal. Counsel for the appellant also confirmed that her chambers has not been served either. This however is an ELP matter.